

(B) in a county adjacent to a county with a population greater than 3.3 million;

(7) a municipality that is located:

(A) within 25 miles of an international port; and

(B) in a county that does not contain a highway that is part of the national system of interstate and defense highways and is adjacent to a county with a population greater than 3.3 million;

(8) a municipality with a population of less than 8,500 that:

(A) is the county seat; and

(B) contains a highway that is part of the national system of interstate and defense highways; ~~or~~

(9) a municipality located in a county with a population between 60,000 and 66,000 adjacent to a bay connected to the Gulf of Mexico;

(10) ~~[(9)]~~ a municipality with a population of more than 40,000 and less than 50,000 that is located in a county with a population of more than 285,000 and less than 300,000 that borders the Gulf of Mexico; *or*

(11) *a municipality with a population of more than 3,000 and less than 10,000 that:*

(A) contains a highway that is part of the national system of interstate and defense highways; and

(B) is located in a county with a population between 150,000 and 155,000.

SECTION 2. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 3. This Act takes effect September 1, 2017.

Passed by the House on April 26, 2017: Yeas 129, Nays 18, 2 present, not voting;
passed by the Senate on May 19, 2017: Yeas 30, Nays 1.

Approved May 26, 2017.

Effective September 1, 2017.

IMPLEMENTATION OF COUNTY SOLID WASTE MANAGEMENT PROGRAMS IN CERTAIN COUNTIES

CHAPTER 143

H.B. No. 1584

AN ACT

relating to the implementation of county solid waste management programs in certain counties.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 364.011, Health and Safety Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Subject to the limitation provided by Sections 361.151 and 361.152 (Solid Waste Disposal Act), *and subject to Subsection (a-1)*, a commissioners court by rule may regulate solid waste collection, handling, storage, and disposal in areas of the county not in a municipality or the extraterritorial jurisdiction of a municipality.

(a-1) A commissioners court by rule may regulate solid waste collection, handling, storage, and disposal by establishing a mandatory program under Section 364.034 in an area of the county located within the extraterritorial jurisdiction of a municipality if:

(1) the municipality does not provide solid waste disposal services in that area; and

(2) *the county:*

(A) *is adjacent to the United Mexican States;*

(B) *has a population of less than 300,000; and*

(C) *contains a municipality with a population of 200,000 or more.*

SECTION 2. Section 364.034, Health and Safety Code, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1) *Notwithstanding Subsection (a)(2), a person is not required to use solid waste disposal services offered by a county, as authorized under Section 364.011(a-1), to persons in an area of the county located within the extraterritorial jurisdiction of a municipality if:*

(1) *the person contracts for solid waste disposal services with a provider that meets rules adopted by the commission for the regulation of solid waste disposal; or*

(2) *the person is a private entity that contracts to provide temporary solid waste disposal services to a construction site or project by furnishing a roll-off container used to transport construction waste or demolition debris to a facility for disposal or recycling.*

(a-2) *Subsection (a-1) does not affect the authority of a governmental entity to pursue actions under Subchapter B, Chapter 365, to address illegal dumping.*

SECTION 3. The changes in law made by this Act apply only to a contract for private solid waste collection, handling, storage, or disposal entered into on or after the effective date of this Act. A contract for private solid waste collection, handling, storage, or disposal entered into before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 4. This Act takes effect September 1, 2017.

Passed by the House on April 20, 2017: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate on May 12, 2017: Yeas 30, Nays 1.

Approved May 26, 2017.

Effective September 1, 2017.

AUTHORITY OF THE TEXAS MILITARY DEPARTMENT TO PURCHASE FOOD AND BEVERAGES

CHAPTER 144

H.B. No. 1606

AN ACT

relating to the authority of the Texas Military Department to purchase food and beverages.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 437, Government Code, is amended by amending Section 437.118 and adding Section 437.119 to read as follows:

Sec. 437.118. ~~MAINTENANCE AND OPERATION [USE] OF [FUNDS TO SUPPORT] MILITARY HOUSING [AND TRAINING]. [(a) The department may use appropriated money to purchase food and beverages for charged military housing and training functions required of the Texas military forces.~~

[(b)] The department shall maintain and operate charged military housing in accordance with policies and regulations adopted by the adjutant general and published on the department's Internet website. The department shall deposit room fees in a billeting account.